



# County of San Diego

## DEPARTMENT OF PUBLIC WORKS

JOHN L. SNYDER  
DIRECTOR

5555 OVERLAND AVE, SUITE 2188  
SAN DIEGO, CALIFORNIA 92123-1295  
(858) 694-2212 FAX: (858) 268-0461  
Web Site: [sdcdpw.org](http://sdcdpw.org)

May 20, 2008

### **Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents**

#### **FOR PURPOSES OF CONSIDERATION OF Valley Center Road Widening Project - Additional Drainage Improvements at Moosa Creek**

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

#### **1. Background on the previously certified EIR:**

An EIR for the Valley Center Road Widening Project was certified by the County of San Diego (County) Board of Supervisors on June 14, 2000. The Final EIR is on file with the State Office of Planning and Research as State Clearinghouse Number 1999021081. The 2000 EIR evaluated the environmental impacts that would result from the widening of 5.96 miles of Valley Center Road from 0.51 miles south of the Escondido municipal boundary, north and east to 0.12 miles east of the Valley Center Road intersection with Cole Grade Road. The certified EIR identified significant effects to biological resources including upland and wetland species and two sensitive plant species, and cultural resources. These effects were determined to be mitigated or avoided to a level below significance. The certified EIR also found significant effects to visual quality/community character from the loss of existing trees along the roadway, the increase in the size and number of cut and fill slopes, limited project-provided landscaping, and a substantial change in community character. Mitigation for traffic-related noise at one residence was determined to be infeasible. These effects were determined to be unmitigable. A Statement of Overriding Considerations was adopted by the Board of Supervisors.

Mitigation measures listed in the 2000 Final EIR were made conditions of approval of the project.

An Addendum to the Certified EIR was prepared on July 14, 2003 addressing possible nighttime, weekend, and holiday construction work on the Valley Center South Road Improvement Project, which were not discussed in the original EIR.

An Addendum to the Certified EIR was prepared in November 2003 addressing a change in the Area of Potential Effect (APE) for Phase II of the Valley Center South Project.

An Addendum to the Certified EIR was prepared on July 2, 2004 addressing a temporary access road in the project's south segment that was removed and revegetated post-construction.

An Addendum to the Certified EIR was prepared on November 5, 2004 addressing the Cedar Trails Wetland Mitigation site, an area of wetland creation, restoration and enhancement to mitigate for impacts to wetlands associated with the Valley Center North Road Widening Project.

An Addendum to the Certified EIR was prepared on November 20, 2007 addressing nighttime construction at Ridge Ranch Road at post mile 153+25 of Valley Center Road to reduce the duration of construction at that location.

A Supplemental EIR was certified on February 6, 2008 and addressed the elimination of a noise wall mitigation location due to a property owner's denial of right of entry to construct the structure. Therefore, noise mitigation was infeasible at that location and the noise impact was determined to be significant and unmitigable.

2. Lead agency name and address:  
County of San Diego, Department of Public Works

- a. Contact: Jeff Kashak, Environmental Planner
- b. Phone number: (858) 874-4056
- c. E-mail: Jeff.Kashak@sdcounty.ca.gov

3. Project applicant's name and address:

County of San Diego, Department of Public Works, CIP Project Development  
5555 Overland Avenue, MS O340, Building 6  
San Diego, CA 92123

4. Summary of the activities authorized by present project:

This proposed project is located in the unincorporated community of Valley Center on the east side Valley Center Road within and just north of Moosa Creek. It has two components; approximately 200' of drainage improvements south of Sunday Drive and the repaving of approximately 200' of Sunday Drive.

Existing drainage improvements discussed in the certified EIR and regulated by approved jurisdictional resource permits are underway up to 250' east of the center line of Valley Center Road. The proposed project involves an expansion of the existing drainage improvements under construction, including channel grading and widening, bank removal and recontouring, and the placement of rip-rap throughout the drainage. The proposed additional drainage improvements would extend approximately 200' upstream along an existing flood control facility for a total of 0.30 acre of permanent impacts. The purpose of the project is to improve the conveyance of stormwater flows through the area to accommodate a 100-year storm event (Q100) and to reduce localized flooding. Due to the proximity of Sunday Drive, Valley Center Road, Valley Center Road Bridge, and local residences, this drainage improvement would protect structures and road access during storm events.

Sunday Drive is a residential road east of Valley Center Road and just north of Moosa Creek. 200' of existing roadway pavement would be removed and the elevation of the road would be raised approximately 2 feet. It would involve the placement of fill to raise the road and compaction activities to lay the asphalt. Impacts north of Sunday Drive are considered temporary in nature, as the construction activities include placement of fill for the raised roadway and for use as a potential staging area. All vegetation removed in this area would be hydroseeded/replanted post-construction. Construction duration is estimated at two months to begin before the 2008 rainy season.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES



NO



If yes, describe **ALL** differences.

The original design of the project as a part of the 2000 certified EIR included drainage improvements required to convey Q100 storm flows under the widened Valley Center Road culvert within Moosa Creek. The design did not include sufficient upstream water conveyance capacity at Moosa Creek. The proposed project augments the extent of the drainage improvements an additional 200' east of the original drainage design. The County has determined this additional area is required to contain and direct flows within the drainage facility through Moosa Creek and through the adequately sized culverts under Valley Center Road. It will also help protect structures and road access from localized flooding during storm events. The repaving of Sunday Drive is designed to match up with roadway improvements associated with the widening project, as well as raise the elevation of the roadway to protect access during storm events.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☐ NONE

☐ Aesthetics

☒ Biological Resources

☐ Hazards & Haz. Materials

☐ Mineral Resources

☐ Public Services

☐ Utilities/Service Systems

☐ Agriculture Resources

☐ Cultural Resources

☐ Hydrology/Water Quality

☐ Noise

☐ Recreation

☐ Mandatory Findings of Significance

☐ Air Quality

☐ Geology/Soils

☐ Land Use/Planning

☐ Population/Housing

☐ Transportation/Traffic

**DETERMINATION:**

On the basis of this analysis, the Department of Planning and Land Use has determined that:

- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR is adequate **CHOOSE EITHER A) or B): A)** without modification. **B)** upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☒ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUPPLEMENTAL EIR is required.

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Signature

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Date

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Jeff Kashak

Printed Name

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Environmental Planner

Title

## INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
  - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

**The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.**

### ENVIRONMENTAL REVIEW UPDATE CHECKLIST

**I. AESTHETICS** – Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES

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NO

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The 2000 EIR identified significant impacts related to visual quality/community character related to the loss of existing trees along the roadway, the increase in the size and number of cut and fill slopes, limited project-provided landscaping, and a substantial change in community character. The proposed project will require the removal of existing vegetation in order to widen the flood control facility, similar to the impacts required for the roadway widening project. The drainage improvement is designed to tie in with the downstream facility within an existing flood control facility and is not considered a scenic resource. The proposed project does not propose increases in the size and number of cut and fill slopes, a change in project provided landscaping, or changes in community character not evaluated in the previous EIR. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to aesthetic resources.

**II. AGRICULTURAL RESOURCES** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agricultural resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and/or conflicts with existing zoning for agricultural use or Williamson Act contract?

YES

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NO

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This project proposes an extension to a flood control feature described in the 2000 certified EIR. The repaving of 200' of Sunday Drive would be on the same alignment and within County right-of-way. The area of proposed drainage improvements is located within an existing drainage facility with no current or planned agricultural use. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to agricultural resources.

**III. AIR QUALITY** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES

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NO

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The 2000 EIR concluded that reduced traffic congestion and higher vehicle speed during the peak traffic hours would result in lower level of operational emissions than would result from the same volume of traffic on the existing roadway. The proposed project involves the extension of a drainage facility and the repaving of an existing road, which are same types of construction activities as described in the 2000 EIR. No new emissions have been identified since the previous EIR was certified. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to air quality.

**IV. BIOLOGICAL RESOURCES** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES

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NO

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The 2000 EIR determined that the road widening (and associated improvements) project would impact sensitive biological resources, including coast live oak and Engelmann oak woodland, oak riparian, freshwater marsh, southern willow scrub, mulefat scrub, Diegan sage scrub, and native grassland, and associated sensitive species, and includes species found along Moosa Creek. The proposed project is located within an existing drainage, and would require permanent impacts to similar riparian vegetation communities and jurisdictional resources. According to the proposed project's biological resources letter report (URS Corp., 2008), the 0.510-acre site would have 0.086-acre of impact to U.S. Army Corps of Engineers (USACE) jurisdiction and 0.294-acre of impact to California Department of Fish & Game (CDFG) jurisdiction. All temporary impacts would be fully mitigated on-site through restoration/revegetation. Consistent with the 2000 EIR project, permanent impact mitigation, as determined through negotiations with USACE, CDFG and Regional Water Quality Control Board (RWQCB), would reduce the jurisdictional resource impacts to less than significant.

During the 2008 biological resources reconnaissance summarized in the proposed project's letter report (URS Corp., 2008), a habitat assessment was conducted within and adjacent to the project site. An individual least Bell's vireo (*Vireo bellii pusillus*), a state and federally endangered species, was detected approximately 550' upstream of the proposed project impact area. Due to the contiguous nature of the riparian habitat along Moosa Creek, approximately 0.035-acre of riparian scrub within the project impact area is considered occupied by the species due to the 2-3 acre territory of the species. Harassment of the species will be avoided by scheduling construction activities to when vireo are absent. Although the incremental loss of least Bell's vireo habitat is a new significant impact not previously discussed in the 2000 EIR, with the implementation of proposed avoidance and minimization/conservation measures, the proposed project is not expected to jeopardize the survival and recovery of the species. Habitat compensation will contribute to the recovery of the least Bell's vireo.

Per Section 7 of the Endangered Species Act, the County has requested formal consultation with the U.S. Fish and Wildlife Service (FWS) for potential impacts to the least Bell's vireo. The species is also listed as endangered in the California Endangered Species Act and the County will consult with CDFG regarding potential impacts to the species. Accordingly, conservation measures and compensation/mitigation will reduce project impacts to the species to below a level of significance.

Areas surrounding the proposed project site contains habitat considered suitable for raptors and migratory birds. Although construction is anticipated to occur after the raptor breeding season (2/1-7/31), species covered under the Migratory Bird Treaty Act (MBTA) may be affected if construction within their migration season (2/15-9/15). If construction is anticipated to occur within this time period, pre-construction surveys shall be conducted within one week of construction to determine if nesting birds occur on-site or within an indirect impact area. The surveys shall be conducted within the project site and extend 500' around the site. If nesting activity is detected, a 50-foot buffer around any active migratory bird nest, a 500' buffer around any active tree-nesting raptor nest, and an 800-foot buffer around any active ground nesting raptor nest would be implemented. The nesting area

shall be flagged and marked and construction activity within the buffer shall be delayed until the nest has fledged or is no longer active. Subsequent nesting bird surveys shall be conducted if construction is halted for more than 1 week at any time during the bird nesting season.

**V. CULTURAL RESOURCES** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

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NO

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The 2000 EIR found that construction of the roadway widening project and associated facilities would impact significant prehistoric and historic cultural resources. Minimization and mitigation measures were found to reduce the impacts to below a level of significance. For the proposed project, DPW staff conducted a one-mile radius records search at the SDSU South Coast Information Center (SCIC) and site CA-SDi-58-12 was detected within the project vicinity. The components of the site were discovered during archaeological surveys between 1978 and 2006. The site is disturbed and the exact limit of the site has not been established. Therefore, in an effort to avert potential impacts to cultural resources and consistent with Section 15064.5 of the State CEQA Guidelines and 4.2 (1 and 2) of the County Guidelines for Determining Impact Significance, an archaeological grading monitoring program shall be established. These measures include: a County-approved archaeologist/historian and Native American monitor (a Luiseño representative) shall be present during earth moving activities and have the authority to halt ground disturbance operations to allow for the evaluation of the site. (For additional discussion see: Cultural Resources Addendum to the EIR for the Valley Center Road Widening Project by DPW Staff, May 15, 2008). The report is available at the County of San Diego DPW office at 5469 Kearny Villa Rd. Suite 305. San Diego, CA 92123.) Once earth moving construction activities have been completed, all monitoring reports shall be submitted to the satisfaction of the Director of Public Works.

Although potential impacts to site CA-SDi-58-12 are not anticipated, due to the proximity of the site within the project vicinity, the measures set forth by County guidelines will ensure that any potential impacts are avoided, minimized, and/or mitigated to below a level of significance. The proposed project involves potential impacts to cultural resources, similar to those described in the 2000 EIR. Therefore, although there are changes in the project with the additional 200' of drainage improvement and the repaving of Sunday Drive, these changes would not cause a new significant impact to cultural resources.

**VI. GEOLOGY AND SOILS** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and

soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

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NO

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The 2000 EIR concluded that the public would not be subjected to any undue geologic risks from of the widening of the road and associated facilities because standard engineering and construction methods will adequately compensate for underlying geologic conditions. The soil type in the area of the proposed project is considered clayey alluvium, which is a shrink-swell type. As found on County maps for the proposed project, there is a potential liquefaction hazard in the vicinity of the area. This drainage improvement project proposes to extend a flood control feature within an existing waterway (Moosa Creek). The immediate project vicinity is in a topographically level area and would have a low probability of shifting due to liquefaction. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to geology and soils.

**VII. HAZARDS AND HAZARDOUS MATERIALS** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

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NO

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The 2000 EIR evaluated three suspected sources of hazardous materials adjacent to Valley Center Road. These sites were identified as gas stations. A Hazardous Materials Site Study Letter Report was prepared for the project. Soil borings were conducted at each site and soils were sampled and analyzed for contamination. Contaminated sites would be remediated in accordance with regulatory requirements prior to developments and the project was determined to not have a significant effect on public health and safety. This proposed project involves drainage improvements within an existing flood control facility and the repaving of an existing road. It would not impact nor create a new hazard or hazardous materials. No new information on hazardous materials has been identified since the previous EIR was certified. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to hazards and hazardous materials.

**VIII. HYDROLOGY AND WATER QUALITY** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES

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NO

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The 2000 EIR found that the road widening project and associated improvements would not have a significant impact to water resources. The purpose of the proposed project is to adequately convey Q100 storm flows through the culverts under Valley Center Road and to reduce localized flooding. The proposed project is located along Moosa Creek and within an existing flood control facility, and would not change the existing hydrology or drainage pattern. It is designed to connect to upstream and downstream conveyances to direct and contain storm water flows to reduce localized flooding. The repaving of Sunday Drive would be within the same alignment as the existing roadway and would not change the quantity or location of traffic emissions.

Construction activities are subject to the jurisdiction of the Regional Water Quality Control Board (RWQCB) for discharges of storm water runoff associated with construction activities and for discharges of urban runoff. Compliance with these guidelines requires preparation of and conformance with a Storm Water Pollution Prevention Plan (SWPPP) including implementation of best management practices (BMPs) and a monitoring program. A SWPPP was prepared for the road widening project, and a Water Pollution Control Plan (WPCP) is included with the construction design plans and provides the specific locations and types of BMPs that will be used. The proposed additional 200' of drainage improvements would be in accordance with the provisions of the existing SWPPP and WPCP. Construction BMPs for the area would be implemented and monitored in accordance with the SWPPP to avoid impacts to water quality.

In accordance with local and state requirements, a project-specific storm water management plan (SWMP) was prepared for the post-construction BMPs along the roadway, and are a part of the project design. The proposed project was determined by County Engineers to be a necessary flood control facility improvement to convey storm flows through the local area and under the Valley Center Road at Moosa Creek culverts. It would not contribute additional sources of pollution nor impact the beneficial uses of downstream water body. Therefore, the addition of the 200' of drainage improvements and repaving of Sunday Drive as proposed by this project will not result in new significant environmental effects related hydrology and water quality.

**IX. LAND USE AND PLANNING** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES

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NO

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The project proposes improvements to a drainage facility along Moosa Creek east of Valley Center Road. The proposed drainage improvement is within a privately owned parcel with drainage, flowage, and open space easements that specifically allow the County the rights to enter and construct flood-control facilities. These rights are allowable uses within the flowage easement, as the right-of-way needed for the proposed project is within the area designated for flowage of waters over the land. This flowage easement is delineated and shown on Tentative Map 14450 for NNP-Woods Valley LLC, as approved by the County Department of Planning and Land Use.

Specifically, both the drainage and flowage easements (as a part of the open space easement dedicated over the entirety of parcel) dedicated "a perpetual easement and right-of-way" to the San Diego County Flood Control District (administered by the County Board of Supervisors). The open space easement states that the open space is intended to protect steep slope lands, sensitive habitat lands, wetland or wetland buffers and floodplains. Since the flowage easement is within the area designated as open

space and is dedicated to the San Diego County Flood Control District, it is determined that the open space easement allows the County to conduct work for the purpose of improving flood conditions to accommodate flows of a 100-year storm event. The proposed project was designed to avoid impacts to the integrity of the biological resources within the open space easement while meeting the objectives of the project as allowed under the easement rights. The repaving of Sunday Drive is within the County Roads right-of-way and outside of the limits of Tentative Map 14450. Therefore, the addition of the 200' of drainage improvements as proposed by this project would not conflict with land use and plans, policy or jurisdictional regulations and will not result in new significant environmental effects related to land use and planning.

**X. MINERAL RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES  
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NO  
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The project proposes drainage improvements along an existing flood control facility, and the repaving of an existing road. The project site is located north of and within Moosa Creek and does not contain known mineral resources that would be of value to the region and the residents. There are no current or planned mineral extraction uses for the project site. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to mineral resources.

**XI. NOISE** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES  
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NO  
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The project proposes drainage improvements along an existing flood control facility within Moosa Creek. Post-construction, the proposed project would not generate operational

noise. The 2000 EIR found that construction activity would result in short-term noise impacts that are not significant. This conclusion was based on the nature and schedule of the proposed construction. Although construction noise impacts may be intrusive, they are considered below significant levels because of the progressive construction of the roadway and associated facilities. Due to the temporary nature of construction, no single location will experience long-term construction noise. For these reasons, the EIR found noise impacts associated with construction of the project were not significant.

During construction of the proposed project, the types of construction equipment that would be used for the repaving of Sunday Drive and drainage improvement are typical of earth excavation and paving activities. The types of machines could include: excavators, dump trucks, asphalt pavers, and rubber-tired rollers. The proposed project would use the same types of noise-generating equipment as discussed and analyzed in the 2000 EIR. Additionally, the drainage activities along Moosa Creek and immediately adjacent to the proposed project site was also considered for construction noise impacts as included in the 2000 EIR. The addition of 200' of drainage improvements and repaving within the same immediate project vicinity for an estimated two-month construction duration does not change the determination that the temporary noise impacts would be less than significant.

As discussed in Section IV., Biological Resources, the immediate area of the proposed project could support protected avian species, some that may be noise-sensitive. Construction commencement will begin after the least Bell's vireo's breeding season. Therefore, the species would have migrated away from the project vicinity, as verified by pre-construction avian surveys. If construction occurs within the MBTA season, the mitigation measures listed in Section IV would be adhered to in order to reduce impacts to noise-sensitive species to below a level of significance.

Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to noise.

**XII. POPULATION AND HOUSING** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES  
☐

NO  
☒

The project proposes drainage improvements along an existing flood control facility, and the repaving of an existing road. The project does not require or involve displacing substantial number of existing housing or people or construction of replacement housing. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to population and housing.

**XIII. PUBLIC SERVICES** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

☐

NO

☒

The project proposes drainage improvements along an existing flood control facility, and the repaving of an existing road. The project is designed to accommodate existing Q100 stormwater flows within an existing waterway and will not result in the need for new public services or facilities such as fire protection, police protection, schools, parks, or other public facilities. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to public services

**XIV. RECREATION** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

☐

NO

☒

The project proposes drainage improvements along an existing flood control facility, and the repaving of an existing road. The project will not result in the increase in the use of an existing recreation facility nor will it result in the removal of existing facilities. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to recreation.

**XV. TRANSPORTATION/TRAFFIC** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?



YES  
☐NO  
☒

The 2000 EIR found that the implementation of the Valley Center Road Widening Project would improve traffic congestion and general circulation and benefit traffic in the area. During construction, some delays were anticipated, but travel lanes would remain open to allow traffic flow to be maintained. The proposed project would not change or generate traffic, as it involves drainage improvements along an existing flood control facility, and the repaving of an existing road without changes to transportation circulation or change in average daily trips (ADTs). In the immediate vicinity of the project, some minor delays could occur to residential drivers along Sunday Drive as construction equipment is brought to or leaves the construction site. At least one lane of traffic would be open for residential ingress/egress along Sunday Drive during construction. The temporary construction traffic measures in place for the road widening project and associated drainage improvement adjacent to the site would also be in effect for the proposed project area. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to transportation/traffic.

**XVI. UTILITIES AND SERVICE SYSTEMS** -- Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES  
☐NO  
☒

The 2000 EIR determined that the project would not result in the need for new or additional utilities or public services. The project proposes drainage improvements along an existing flood control facility, and the repaving of an existing road, and as such, would not change the determination of the 2000 EIR. Therefore, although there are changes in the project, these changes will not result in new significant environmental effects related to utilities and service systems.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**: Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

*Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

*Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

*Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

YES

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NO

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As discussed in Section IV, Biological Resources, the substantial change to the 2000 EIR for the addition of the proposed project is attributable to potential habitat impacts to the least Bell's vireo, a state and federally endangered species. The 0.035-acre of habitat impact is a new significant impact but is an incremental loss that is not expected to exclude the species from the project vicinity. The proposed project construction activities are scheduled to occur outside of the least Bell's vireo breeding season (4/15-8/15), avoiding direct harassment to the species. Habitat compensation, as negotiated with the USFWS, will contribute to the recovery of the species and reduce the impact to below a level of significance.

#### **XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM**

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County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Conservation Element of the General Plan (especially Appendices G  
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EIR for the Valley Center Road Widening Project. Prepared by Gay Hilliard, DPW Staff  
Archaeologist. May 13, 2008.

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XII-6-1)

County of San Diego Scenic Highway Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San  
Diego Biological Mitigation Ordinance

County of San Diego Watershed Protection, Stormwater Management, and Discharge  
Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801  
et seq.), February 20, 2002

Farmland Mapping and Monitoring Program, California Department of Conservation,  
Division of Land Resource Protection, 1998

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Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection

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Uniform Fire Code, Article 9 and Appendix II-A, Section 16

URS Corporation. Valley Center Road Widening Project-Additional Drainage Improvements at Moosa Creek (WA#1003327) – Biological Report, Wetland Delineation, and Biological Assessment. URS Project Number 27657065. Prepared by Patrick J. Mock, PhD. May 9, 2008

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